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HOUSE BILL 1082

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO HUMAN RIGHTS; PROVIDING THAT A PLACE OF PUBLIC ACCOMMODATION SHALL NOT DENY ACCESS TO A PERSON WHO OPERATES A MOTORCYCLE; PRESCRIBING CIVIL DAMAGES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. PLACE OF PUBLIC ACCOMMODATION--RESTRICTION ON DENIAL OF ACCESS TO A PERSON WHO OPERATES A MOTORCYCLE--CIVIL DAMAGES.--

A. A place of public accommodation shall not restrict access, admission or usage to a person solely because the person:

- (1) operates a motorcycle;
- (2) is a member of a motorcycle organization or association; or
- (3) is wearing clothing that displays the name

underscoring material = new
~~[bracketed material] = delete~~

1 of a motorcycle organization or association.

2 B. Notwithstanding the provisions of Subsection A
3 of this section, a place of public accommodation may restrict
4 access, admission or usage to a person because the person's:

5 (1) conduct poses a risk to the health or
6 safety of another person or to the property of another person;
7 or

8 (2) clothing does not conform to an
9 established and posted dress code.

10 C. A person who is denied access to, admission to
11 or usage of a place of public accommodation pursuant to
12 Subsection A of this section may bring an action for:

13 (1) civil damages in an amount not to exceed
14 five hundred dollars (\$500);

15 (2) injunctive relief; and

16 (3) recovery of attorney fees in an amount not
17 to exceed five hundred dollars (\$500).

18 D. As used in this section, "place of public
19 accommodation" means a business, refreshment, entertainment,
20 recreation or transportation facility of any kind, whether
21 licensed or not, whose goods, services, privileges or
22 accommodations are extended, offered, sold or otherwise made
23 available to the public.

24 Section 2. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2005.

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